

## **DEPARTMENT OF THE NAVY**

NAVAL AIR WARFARE CENTER AIRCRAFT DIVISION OFFICE OF COUNSEL 47076 LILJENCRANTZ ROAD PATUXENT RIVER, MD 20670-1127

> 5720.9b 11.7AD/DON-NAVY-2019-004676 01 July 2019

MuckRock News Mr. Carter Chen 411A Highland Ave Somerville, MA 02144

Dear Mr. Chen:

This responds to your Freedom of Information Act (FOIA) request of March 12, 2019, in which you seek all e-mail communication regarding the publication of US Patent US10144532B2. This office received your request on March 12, 2019, and assigned reference number DON-NAVY-2019-004676.

Attached in the e-mail with this letter is a copy of e-mail communications regarding the publication of US Patent US10144532B2. Portions of the e-mails have been excised, as they contain information covered by FOIA Exemption (b)(6) (5 U.S.C. § 552 (b)(6)) and (b)(5) (5 U.S.C. § 552 (b)(5)). FOIA Exemption (b)(6) protects personal information which if disclosed would result in an unwarranted invasion of personal privacy, and Exemption (b)(5) protects inter-agency information that would not be available by law to a party other than an agency in litigation with the agency. Specifically, under Exemption (b)(5), the withheld e-mail communications are protected by the attorney-client privilege.

Because some information has been withheld, you may consider this to be an adverse determination that may be appealed. You may submit your appeal directly within the webbased system. To do this, log into your account, retrieve your original request, and then click on the Create Appeal tab in the left-hand column. The basic information from your request will be duplicated for you, and then you can type in the basis of your appeal. You also have the right to seek dispute resolution services from the DONCIO FOIA Public Liaison, Christopher Julka at Christopher.A.Julka@navy.mil or the Office of Government Information Services (https://ogis.archives.gov/).

Alternatively, you may send an appeal by regular mail to Navy, Office of the General Counsel (ATTN FOIA APPEALS), 1000

Navy Pentagon, Room 5A532, Washington, DC 20350-1000. Your appeal, if any, must be postmarked within 90 calendar days from the date of this letter and should include a copy of your initial request, a copy of this letter, and a statement indicating why you believe your appeal should be granted. I recommend that your appeal and its envelope bear the notation "Freedom of Information Act Appeal."

There are no fees associated with the processing of your request in this instance.

If you have any questions regarding this request, you may contact Veronika Sawyer by email to veronika.sawyer@navy.mil. Inquiries may also be directed to the following address:

DEPARTMENT OF THE NAVY
OFFICE OF COUNSEL
ATTN: FOIA OFFICER
47076 LILJENCRANTZ ROAD BLDG 435
PATUXENT RIVER MD 20670

Sincerely,

Stephanie A. Polk Counsel, NAWCAD